

TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
July 16, 2007

The Tippecanoe County Commissioners met on Monday, July 16, 2007 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President KD Benson, Vice President John L. Knochel and Commissioner Ruth E. Shedd. Also present were: Auditor Jennifer Weston, Commissioners' Assistant Frank Cederquist, Attorney David W. Luhman, and Secretary Jennifer Prange.

President Benson called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

- Commissioner Knochel moved to approve minutes from the July 2, 2007 meeting, second by Commissioner Shedd; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

Commissioner's Assistant Frank Cederquist recommended approval for accounts payable vouchers for July 5, 6, 12, 13, and 16 without exception.

- Commissioner Shedd moved to approve the accounts payable vouchers as submitted, second by Commissioner Knochel; motion carried.

HIGHWAY – Opal Kuhl

Bid Opening for 2007 Culvert Project

Attorney Luhman opened three bids for the 2007 Culvert Replacement Project. Director Kuhl noted a mistake was made on the original bid specifications regarding square yards and square feet. Re-bidding the contract gave bidders the opportunity to make corrections.

Milestone Contractors, LP
\$1,797,136.90

Yarberry Land Services
\$1,911,283.00

Fairfield Contractors, Inc.
\$1,914,641.00

- Commissioner Knochel moved to take the bids under advisement, second by Commissioner Shedd; motion carried.

Director Kuhl requested approval for Change Order 4 – South River Road for Schneider Engineering in the amount of \$38,800.

- Commissioner Knochel moved to approve Change Order #4 for South River Road, second by Commissioner Shedd; motion carried.

Director Kuhl recommended approval for Supplemental Agreement #1 for the design of Cumberland Avenue Extension with American Structure Point in the amount of \$453,790. This project is a Federal Aid Project that has been approved by INDOT and will have 80% federal funding.

- Commissioner Knochel moved to approve the Supplemental Agreement with American Structure Point, second by Commissioner Shedd; motion carried.

A permit to close Buckingham Drive for a Block Party was presented for approval. Director Kuhl added the agreement is the identical to last year and does allow for emergency vehicles and mailmen to access the drive.

- Commissioner Knochel moved to approve the permit to close Buckingham Drive for a block party, second by Commissioner Shedd; motion carried.

ASSESSOR – Samantha Steele

Award RFP for Commercial and Industrial Cost Tables

Assessor Steele presented information regarding the cost of replacement commercial and industrial cost tables. She stated the Nexxus Group will test the data to ensure its accuracy in Tippecanoe County. Commissioner Knochel noted the county's financial planner, Greg Guerrattaz, recommended Tippecanoe County move cautiously due to the civil lawsuit in Marion County. Commissioner Knochel suggested delaying the purchase of the cost tables until further information is available. Assessor Steele suggested moving ahead in an effort to save the taxpayers money and prevent the county from correcting taxes later. Wea Township Assessor Linda Mussche spoke on behalf of the in-house township assessors and agreed the cost tables need to be updated but suggested the county delay their decision in an effort to obtain more information from the state.

- Commissioner Knochel moved to table the proposal until further information is received and stated the commissioners could call a special meeting in order to expedite a decision, second by Commissioner Shedd; motion carried.

New Position – Sales Disclosure Deputy

Assessor Steele sent a letter to the Commissioners stating she is only willing to share an employee if time permits. She claims her office does not have enough staff to cover the current workload for sales disclosures. Human Resource Director Shirley Mennen added that the current part time sales disclosure employee in the county assessor's office is working 80 hours per pay period. Commissioner Benson suggested Assessor Steele work with the township assessors on this issue. She added, the townships need to come to an agreement on the position and the duties to meet the needs of the all the assessors.

- Commissioner Knochel moved to table the decision on the new position until the special meeting; second by Commissioner Shedd with the condition that a revised job description is provided at the time of the meeting; motion carried.

ORDINANCE 2007-26-CM; Adding New Chapter 97 Regulating the Use of Consumer Fireworks

Captain Rick Walker provided updated information on complaints regarding use of fireworks. The number of fireworks complaints in Tippecanoe County for 2006 were 62; 2007 were 66. The Sheriff's

Department has witnessed an increase in the number of calls with the new law. Commissioner Benson mentioned 15 different subdivisions have contacted the Board of Commissioner requesting a fireworks limitation. Citizens are concerned about the noise as well as burning embers landing on their property. She requested the Sheriff's department track the calls by location to identify the areas with the most complaints.

Public Comment

Steve Bonny – 100 Georgetown Court. Mr. Bonny said fireworks are a public nuisance as are barking dogs and loud mufflers. He added fireworks are an appropriate celebration of July 4th. However, with the daylight saving time, Mr. Bonny believes the cut-off period for fireworks is far too late for working individuals and children. He stated the June 30 – July 9th timeframe is too long. He would like to see the law change so that it does not infringe on peoples' rights.

Maurice P. Roberts – Lafayette. Mr. Roberts noted restrictions should only be limited to densely populated areas where it would be a public nuisance. He lives in the country and doesn't feel his rights should be imposed upon. By passing more strict limitations, he added he would like to see the ordinance cover only densely populated areas.

Joseph Bruetsch – A letter was provided to the Auditor regarding this matter.
(quote)

Dear Ladies and Gentlemen,

The use of consumer fireworks this past June 29 – July 9 was excessive, too much noise and too much endangerment. It would make sense for the county to have the same regulations as the cities of Lafayette and West Lafayette. However, because of Senate Enrolled Act 9 (copy attached) made law this past May, it is beyond your authority to limit the days on which consumer fireworks are allowed. I would propose as a middle course that the legislature chop 2 days off both ends of the allowed period now June 29 – July 9. That would bring it down to an easily remembered period of July 1-7. I therefore encourage you to work with Senators Hershman and Alting and Representatives Mike, Hahn, Klinker, and Brown to amend the law to abbreviate the permitted period. Let us hope those represent the fireworks industry will accept this compromise. Thanks for your attention to this troublesome matter.

Respectfully,

Joseph Bruetsch
(unquote)

Commissioner Knochel stated he would like to give this ordinance more thought and try to develop a plan. Commissioner Benson suggested Attorney Luhman work on a plan that would limit fireworks in densely populated areas as well as the safety issues involved. Commissioner Shedd suggested the draft include a reference to small towns that have their celebrations the weekend before or after the holiday.

Commissioner Knochel left the meeting.

BOARD OF ELECTION AND REGISTRATION – Linda Phillips & Heather Maddox

Clerk Linda Phillips presented a contract for approval. She noted the form of contract includes the oath for election workers. Clerk Phillips mentioned election workers will have the opportunity of working a

half day or a full day shift. The Vote Center Supervisor and the Lead Democratic Judge will be required to work a full day shift to maintain bi-partisan control over the election materials.

- Commissioner Shedd moved to approve the form of contract, second by Commissioner Benson; motion carried.

TIPPECANOE VILLA – DeAnna Sieber

Director Sieber recommended approval for the Residential Assistance Program contract from FSSA for 2008/2009. This contract is identical to past contracts and the same rates.

- Commissioner Shedd moved to approve the 2008/2009 RCAP contract, second by Commissioner Benson; motion carried.

APPLICATIONS TO THE VILLA

- Commissioner Shedd moved to approve applications to the Villa for Louise Lawless and Harry Bradway, second by Commissioner Benson; motion carried.

CONTRACT FOR VENDING MACHINES

Commissioner's Assistant Frank Cederquist presented a renewal contract for vending machines. This contract with the Indiana Family and Social Service Division which covers the vending machines in the Courthouse, 629 N. 6th Street and the Tippecanoe County Office Building.

- Commissioner Shedd moved to approve the contract for the next 4 years as written, second by Commissioner Benson; motion carried.

DISCUSSION OF REVISED TRAVEL POLICY

Commissioner's Assistant Cederquist presented a proposed travel policy amendment to include items that require pre-authorization for certain anticipated travel expenses as follows:

- Travel outside the U.S.
- Cost exceed a total of \$5,000
- Guest/family accompany the employee and travel is outside Indiana
- Group travel exceeds six participants
- Mode of transportation chosen is not the most economical
- Lodging rates exceeds \$250 person/per night
- Travel duration extends past 5 business days
- Funded via federal or state grants and guidelines conflict with this policy

Other amendments include:

Related transportation costs such as parking, tolls, shuttle, etc. would be reimbursable.

Lodging expenses such as internet, telephone or fax would be eligible for reimbursement with evidence supporting the use for business purposes.

A meal defined as breakfast, lunch or dinner. Beverages (aside from those served at a meal) and snacks are not considered a meal or reimbursable unless for a medical condition.

UNFINISHED/NEW BUSINESS

None.

REPORTS ON FILE

Wabash River Heritage Corridor Commission
 Veteran's Affairs
 Treasurer
 Mail and Duplicating
 Weights and Measures

PUBLIC COMMENT

Commissioner Shedd moved to adjourn.

**BOARD OF COMMISSIONERS OF
 THE COUNTY OF TIPPECANOE**



KD Benson, President

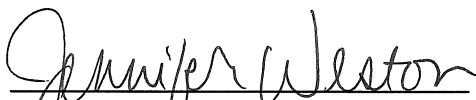


John L. Knochel, Vice President



Ruth E. Shedd, Member

ATTEST:



Jennifer Weston, Auditor